UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Parnell
General Manager
Gateway Energy & Coke Company
2585 Edwardsville Road
Granite City, Illinois 62040

Re: Notice and Finding of Violation at Gateway Energy & Coke Company
Granite City, Illinois

Dear Mr. Parnell:

This is to advise you that the U.S. Environmental Protection Agency (EPA) has determined that Gateway Energy & Coke Company's ("Gateway Energy & Coke's") facility at 2585 Edwardsville Road, Granite City, Illinois, is in violation of the Clean Air Act (CAA) and associated Illinois state pollution control requirements. A list of the requirements violated is provided below. We are today issuing you a Notice of Violation and Finding of Violation (NOV/FOV) for these violations.

Gateway Energy & Coke's PSD Permit to Install (PTI), issued on March 13, 2008, limits emissions of, among other things, particulate matter (PM) and sulfur dioxide (SO_2). The purpose of these emissions limits is to help protect the public from unhealthy exposures to criteria pollutants, emissions of which contribute to respiratory problems, lung damage, and premature deaths.

Based on data provided to EPA by Gateway Energy & Coke and by United States Steel Corporation ("U.S. Steel") on April 20, 2010, June 15, 2010, and June 28, 2010, Gateway Energy & Coke has violated and continues to violate requirements in its permit governing emissions from bypass vents and provisions requiring the installation and operation of a desulfurization unit at the adjacent U.S. Steel Granite City coke oven batteries. Violations of these requirements are also violations of the Illinois State Implementation Plan (SIP), as well as Title I, Part C of the CAA and its associated regulations, which require compliance with the terms and conditions of PSD permits. Accordingly, Gateway Energy & Coke has violated Title I of the CAA and its implementing regulations.

Section 113 of the CAA gives the EPA several enforcement options to address these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. Section 113 of the CAA provides you with the opportunity to request a conference with us about the violations alleged in the NOV/FOV. A conference should be requested within 10 days following receipt of this notice and any conference should be held within 30 days following receipt of this notice. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent you at this conference.

EPA's contact in this matter is Gina Harrison. You may call her at (312) 353-6956 if you wish to request a conference. EPA hopes that this NOV/FOV will encourage Gateway Energy & Coke's compliance with the requirements of the CAA.

Sincerely,

for CLN

Cheryl L. Newton
Director
Air and Radiation Division

Enclosure

cc: Ray Pilapil, Illinois Environmental Protection Agency

United States Environmental Protection Agency
Region 5

IN THE MATTER OF:	(	
	(	
Gateway Energy & Coke Company	(	**NOTICE OF VIOLATION and**
Granite City, Illinois	(	**FINDING OF VIOLATION**
	(	
	(	**EPA-5-10-17-IL**
Proceedings Pursuant to	(	
the Clean Air Act,	(	
42 U.S.C. §§ 7401 et seq.	(	
	(	

NOTICE AND FINDING OF VIOLATION

EPA is issuing this Notice and Finding of Violation ("Notice") under Section 113(a) of the Clean Air Act, 42 U.S.C. § 7413(a). The authority to issue this Notice has been delegated to the Regional Administrator of the EPA Region 5, and redelegated to the Director, Air and Radiation Division. EPA finds that Gateway Energy & Coke Company ("Gateway Energy & Coke" or "facility") is violating the Clean Air Act (CAA or "the Act"), 42 U.S.C. §§ 7401 *et seq.*, at the Gateway Energy & Coke plant in Granite City, Illinois, as follows:

Applicable Permits and Regulations

Prevention of Significant Deterioration

1. The PSD program, found at Part C of Title I of the CAA, 42 U.S.C. §§ 7470 – 7479, and its implementing regulations at 40 C.F.R. § 52.21, apply to the construction or modification of major stationary sources.

2. The regulations at 40 C.F.R. § 52.21 require that major stationary sources obtain a PSD permit prior to construction if the modification is major and the source is located in an area that has achieved the NAAQS for that pollutant.

3. The regulations at 40 C.F.R. § 52.21(b)(2)(1) define a "major modification" as any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under CAA.

4. The regulations at 40 C.F.R. § 52.21(b)(1)(i)(a) define a "major stationary source" as any stationary source within one of 28 source categories that emits, or has the potential to emit, 100 tons per year or more of any air pollutant subject to regulation under the CAA. Coke oven batteries are included among the 28 source categories.

5. The regulations at 40 C.F.R. § 52.21 further require that a source subject to PSD regulations install and continuously apply Best Available Control Technology (BACT) to any major modification.

6. Sulfur dioxide (SO_2) is a regulated pollutant under the CAA for which a significant net emissions increase is defined as 40 tons per year. 40 C.F.R. § 52.21(b)(3)(i).

7. The regulations at 40 C.F.R. § 52.21(n) require any applicant for a permit to modify a stationary source to provide all relevant information to allow the permitting authority to perform an analysis or make the determination required in order to issue the appropriate permit.

Nonattainment New Source Review

8. Part D of Title I of the Act, 42 U.S.C. §§ 7501-7515, sets forth provisions for New Source Review (NSR) requirements for areas designated as Nonattainment with the NAAQS standards. These provisions are referred to herein as the Nonattainment NSR program. The Nonattainment NSR program is intended to reduce emissions of air pollutants in areas that have not attained NAAQS so that the areas make progress towards meeting the NAAQS. Prior to the effective date of the 1990 Clean Air Act Amendments, P. Law 101 549, effective November 15, 1990, the Nonattainment NSR provisions were set forth at 42 U.S.C. §§ 7501-7508.

9. Under Section 172(c)(5) of the Nonattainment NSR provisions of the CAA, 42 U.S.C. § 7502(c)(5), each state is required to adopt Nonattainment NSR SIP rules that include provisions to require permits that conform to the requirements of Section 173 of the Act, 42 U.S.C. § 7503, for the construction and operation of modified major stationary sources within nonattainment areas. Section 173 of the CAA, in turn, sets forth a series of minimum requirements for the issuance of permits for major modifications to major stationary sources within nonattainment areas. 42 U.S.C. § 7503.

10. Section 173(a) of the Act, 42 U.S.C. 7503(a), provides that construction and operating permits may be issued if, *inter alia*: "(a) sufficient offsetting emission reductions have been obtained to reduce existing emissions to the point where reasonable further progress towards meeting the national ambient air quality standards is maintained; and (b) the pollution controls to be employed will reduce emissions to the lowest achievable emission rate (LAER)."

11. On December 17, 1992, EPA approved the incorporation of the Illinois nonattainment NSR rules (NA-NSR), 35 Illinois Administrative Code (IAC) Part 203, into the Illinois SIP. 57 *Fed. Reg.* 59928. The NA-NSR rules became effective on February 16, 1993. On September 27, 1995, EPA approved a revision to the Illinois NA NSR rule as part of the SIP. 60 *Fed. Reg.* 49778. This revision became effective on October 27, 1995.

12. State regulations at 35 IAC § 203.206(b)(1) define "major stationary source" for an area designated as nonattainment for ozone as, in part, a stationary source which emits or has the potential to emit volatile organic material in an amount equal to or greater than 100 tons per year (tpy) in an area classified as marginal or moderate nonattainment for ozone.

13. State regulations at 35 IAC § 203.207(a) define "major modification" as a physical change or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant for which the area is designated a nonattainment area.

14. State regulations at 35 IAC § 203.207(b) provide that any net emissions increase that is significant for volatile organic material or nitrogen oxides shall also be considered significant for ozone.

15. State regulations at 35 IAC § 203.203(a) provide that a construction permit is required prior to actual construction of a major new source or major modification.

16. State regulations at 35 IAC § 203.103 define "actual construction" as the initiation of physical on-site construction activities on an emissions unit that are of a permanent nature. Such activities include, but are not limited to, the installation of building supports and foundations, the laying of underground pipework, and the erection of permanent storage structures.

17. State regulations at 35 IAC § 203.201 state that, in any nonattainment area, no person shall cause or allow the construction of a new major stationary source or major modification that is major for the pollutant for which the area is designated a nonattainment area, except as in compliance with 35 IAC Part 203 for that pollutant. In areas designated nonattainment for ozone, this prohibition shall apply to new major stationary sources or major modifications of sources that emit volatile organic materials or nitrogen oxides.

18. Sections 172(c)(4) and 173 of the CAA require states to demonstrate that, among other things, emissions from new or modified major sources are consistent with the achievement of reasonable further progress (RFP). RFP is further defined in Section 302(g) of the CAA to include reductions of relevant air pollutant precursors identified by EPA as subject to regulation for that purpose.

State Implementation Plan

19. Section 110(a)(1) of the CAA requires each state to adopt and submit to EPA a SIP that includes provisions for the implementation, maintenance, and enforcement of the promulgated national ambient air quality standard (NAAQS) within the state.

20. On April 7, 1980, EPA incorporated the provisions of 40 C.F.R. § 52.21(b) through (w) into the Illinois SIP, codified at 40 C.F.R. § 52.738. 45 *Fed. Reg.* 52741. EPA delegated to the Illinois

Environmental Protection Agency (IEPA) the authority to review and process PSD permit applications, and to implement the federal PSD program. 46 *Fed. Reg.* 9584.

21. On May 31, 1972, EPA approved Illinois Pollution Control Board (PCB) Rules 103(a)(1), 103(b)(1) and 103(b)(2) as part of the federally enforceable SIP for Illinois. 37 *Fed. Reg.* 10842. Due to the renumbering of the Illinois PCB Rules, Rules 103(a), 103(b)(1) and 103(b)(2), as approved by EPA, are currently set forth at Illinois Administrative Code (IAC) Title 35, at sections 201.142, 201.143, and 201.144.

22. State regulations at 35 IAC § 201.142 prohibit the modification of any existing emission source or air pollution control equipment without first obtaining a construction permit from the IEPA.

23. Pursuant to 40 C.F.R. § 52.23, the failure to comply with any approved regulatory provision of a SIP, or with any permit condition issued pursuant to approved or promulgated regulations for the review of new or modified stationary or indirect sources, renders the person so failing to comply in violation of the applicable implementation plan and subject to enforcement under Section 113 of the Act, 42 U.S.C. § 7413.

Permit Requirements

24. The IEPA, through its delegated permit authority, issued PSD Permit to Install 06070020 ("PSD Permit") to Gateway Energy & Coke on March 13, 2008.

25. PSD Permit condition 4.1.5(a)(i)(D) limits the total duration of venting through waste heat stacks, with coking gases not controlled by the spray dryer/fabric filter system, to 1872 stack hours within any 12-month rolling period.

26. PSD Permit condition 4.1.6(b)(iv) limits SO_2 emissions from waste heat stacks to 355.21 tons per year for all waste heat stacks combined.

27. PSD Permit condition 4.1.6(b)(iv) limits PM emissions from waste heat stacks to 30.24 tons per year for all waste heat stacks combined.

28. PSD Permit condition 3.1.3(b)(i) requires the installation of a desulfurization unit at the adjacent U.S. Steel, Granite City, facility coke ovens in order for Gateway Energy & Coke to apply the emission reduction credits generated by the operation of the desulfurization unit to the construction and operation of the Gateway Energy & Coke facility. The desulfurization unit was projected to reduce SO_2 emissions from coke oven gases (COG) by 2,108 tons per year and 175.7 tons per month. PSD Permit condition 5.0, Attachment 2.

29. PSD Permit condition 3.1.3(c) requires that the implementation of measures to provide emission offsets begins prior to, or upon startup of, the new heat recovery coke plant.

30. PSD Permit condition 3.1.3 identifies all the actions to be taken in conjunction with the construction of the new heat recovery coke plant to ensure that the construction of the new heat recovery coke plant was accompanied by sufficient emission offsets so that the construction of the new heat recovery coke plant would not interfere with reasonable further progress for $PM_{2.5}$.

31. PSD Permit condition 4.1.10(a)(ii) requires that Gateway Energy & Coke notify IEPA within ten days of any event in which the duration of venting through a waste heat stack is 60 minutes or longer, other than for scheduled inspection and maintenance of heat recovery steam generators or control equipment.

32. PSD Permit condition 4.1.5(a)(i)(D) and federal regulations at 40 C.F.R. § 63.6(e)(1) require that at all times, including periods of startup, shutdown, and malfunction, Gateway Energy & Coke must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

Factual Background

33. Gateway Energy & Coke owns and/or operates a metallurgical coke plant located at 2585 Edwardsville Road, Granite City, Madison County, Illinois (facility), adjacent to the U.S. Steel, Granite City, facility located at 1951 State Street, Granite City, Illinois.

34. During all times relevant to this Notice, Gateway Energy & Coke was located in an area classified as nonattainment for total suspended particulate (TSP), 8-hour ozone, and particulate matter (as $PM_{2.5}$), and attainment or unclassifiable for all other criteria pollutants.

35. Gateway Energy & Coke operates 120 nonrecovery coke ovens arranged in three 40-oven batteries. Each subdivided set of 20 ovens connects to one of the facility's six waste heat stacks via a common tunnel.

36. EPA issued a 114 request to Gateway Energy & Coke on March 17, 2010. Gateway Energy & Coke responded to this request on April 20, 2010. In its response, Gateway Energy & Coke indicated Coke Battery C was first charged on October 28, 2009. Gateway Energy & Coke also provided waste heat stack hours of operation and associated emissions during the period December 28, 2009, to March 19, 2010, and indicated that IEPA had not been notified of such events lasting more than 60 minutes on five (5) occasions. See Tables A, B, and C.

37. EPA issued a 114 request to U.S. Steel, Granite City, on May 11, 2010. USS Granite City responded to this request on June 15, 2010, and June 28, 2010. In its responses, U.S. Steel, Granite City, stated that Coke Battery A began operating on December 6, 2009, and that the desulfurization unit planned for startup at the onset of operation at Gateway Energy & Coke began fully processing coke oven gas (COG) on January 15, 2010.

Permit and Regulatory Violations

38. Gateway Energy & Coke's 4,204 hours of waste heat stack venting within a 12-month rolling period constitutes a violation of PSD Permit condition 4.1.5(a)(i)(D) and federal regulations at 40 C.F.R. § 63.6(e)(1). Failure to limit venting from each waste heat stack to 312 venting hours per stack per rolling 12-months also violates PSD Permit condition 4.1.5(a)(i)(D) and federal regulations at 40 C.F.R. § 63.6(e)(1). Data are included in Table A of this Notice.

39. Gateway Energy & Coke's 482 tons of SO_2 emissions from waste heat stacks constitute violation of PSD Permit condition 4.1.6(b)(iv) and federal regulations at 40 C.F.R. § 63.6(e)(1). Data are included in Table B of this Notice.

40. Gateway Energy & Coke's 72 tons of PM emissions from waste heat stacks constitutes a violation of PSD Permit condition 4.1.6(b)(iv) and federal regulations at 40 C.F.R. § 63.6(e)(1). Data are included in Table C of this notice.

41. Gateway Energy & Coke's five instances of failure since December 28, 2009, to notify IEPA of any event in which the duration of venting through a waste heat stack is 60 minutes or longer is a violation of PSD Permit condition 4.1.10(a)(ii).

42. Gateway Energy & Coke's failure to install and/or ensure the timely installation of a COG desulfurization unit at the adjacent U.S Steel Granite City plant is a violation of PSD Permit condition 3.1.3(a). By failing to ensure the timely installation of the desulfurization unit when such operations commenced and reduce SO_2 emissions to the levels required by its PSD Permit, Gateway Energy & Coke violated and continues to violate Sections 7501-7515 of the CAA and 40 C.F.R. § 52.21(i)(1).

43. Gateway Energy & Coke violated and continues to violate Section 165(a) of the CAA, 42 U.S.C. § 7475(a), and 40 C.F.R. § 52.21(i)(1) by failing to obtain a PSD permit and operating the modified facilities without installing BACT, or going through PSD review for SO_2 and installing appropriate emission control equipment in accordance with BACT requirements.

44. Gateway Energy & Coke violated and continues to violate Sections 171-193 of the CAA, 42 U.S.C. §§ 7501-7515, by failing to obtain an NA-NSR permit and operating the facility without (1) installing LAER, (2) obtaining federally enforceable emission offsets equal to or greater than the new or modified source's emissions, (3) certifying that all other major sources that it owns or operates within the state of Illinois are in compliance with the Act, and (4) demonstrating that the benefits of the proposed source or modification significantly outweigh the environmental and social costs imposed as a result of its construction or modification.

Environmental Impact of Violations

45. Excess emissions of SO_2 increase the amount of acid rain and public exposure to unhealthy levels of SO_2. SO_2 reacts with other chemicals in the air to form tiny sulfate particles. Long term exposure to high levels of SO_2 gas and particles can cause respiratory illness, aggravate existing heart disease, and lead to premature death.

46. Violations of particulate emissions standards increases public exposure to unhealthy particulate matter. Particulate matter, especially fine particulate, contributes to respiratory problems, lung damage and premature death.

July 7, 2010
Date

Cheryl L. Newton
Director
Air and Radiation Division

Table A: Waste Heat Stack Venting since December 28, 2009

Date of Venting	Annual Venting Limit (hours/per vent per rolling 12-months)	Bypass Vent 1 (hours)	Bypass Vent 2 (hours)	Bypass Vent 3 (hours)	Bypass Vent 4 (hours)	Bypass Vent 5 (hours)	Bypass Vent 6 (hours)	Event lasted longer than 60 minutes (4.1.10 (a)(ii))	IEPA Notified
12/28/2009	312	0.05						No	No
12/28/2009	312	0.78						No	No
12/28/2009	312	0.05						No	No
12/28/2009	312	0.03						No	No
12/28/2009	312	0.05						No	No
12/29/2009	312	0.07						No	No
12/29/2009	312	4.08						Yes	No
1/1/2010	312	0.08						No	No
1/1/2010	312			4.5				Yes	Yes
1/4/2010	312	234.93	234.93	234.93	234.93	234.93	234.93	Yes	Yes
1/14/2010	312						0.03	No	No
1/14/2010	312						0.02	No	No
1/14/2010	312						1.85	Yes	Yes
1/16/2010	312	2.97						Yes	Yes
1/16/2010	312				0.15			No	No
1/18/2010	312	0.15	0.15	0.15	0.15	0.15	0.15	No	No
1/18/2010	312	118.08	118.08	118.08	118.08	118.08	118.08	Yes	Yes
1/24/2010	312					0.07		No	No
1/26/2010	312					0.02		No	No
1/29/2010	312			0.25				No	No
1/30/2010	312			0.2				No	No
1/30/2010	312	6.13	6.13	6.13	6.13	6.13	6.13	Yes	No
1/31/2010	312				1.97			Yes	Yes
2/4/2010	312	0.25	0.25	0.25	0.25	0.25	0.25	No	No
2/6/2010	312					9.07		Yes	Yes
2/9/2010	312	135.45	135.45	135.45	135.45	135.45	135.45	Yes	Yes
2/20/2010	312				0.03			No	No
2/20/2010	312					0.03		No	No
2/22/2010	312					0.08		No	No
2/23/2010	312		0.6					Yes	No
2/23/2010	312	1.18						Yes	Yes
2/23/2010	312			0.2				No	No
2/24/2010	312						0.12	No	No
3/2/2010	312	0.12					0.12	No	No
3/6/2010	312	199.27	199.27	199.27	199.27	199.27	199.27	Yes	No
3/19/2010	312	1.68	1.68	1.68	1.68	1.68	1.68	Yes	No
Total	312	705.4	696.54	701.09	698.09	705.21	698.08		

Table B: SO2 Emissions from Waste Heat Stacks since December 28, 2009

Date of Venting	Annual Venting SO_2 Limit (tpy)	Waste Heat Vent 1 (tons)	Waste Heat Vent 2 (tons)	Waste Heat Vent 3 (tons)	Waste Heat Vent 4 (tons)	Waste Heat Vent 5 (tons)	Waste Heat Vent 6 (tons)
12/28/2009	355.21	0.01					
12/28/2009	355.21	0.09					
12/28/2009	355.21	0.01					
12/28/2009	355.21	0.004					
12/28/2009	355.21	0.01					
12/29/2009	355.21	0.01					
12/29/2009	355.21	0.49					
1/1/2010	355.21	0.01					
1/1/2010	355.21			0.42			
1/4/2010	355.21	21.68	21.68	21.68	21.68	21.68	21.68
1/14/2010	355.21						0.003
1/14/2010	355.21						0.002
1/14/2010	355.21						0.17
1/16/2010	355.21	0.27					
1/16/2010	355.21				0.01		
1/18/2010	355.21	0.01	0.01	0.01	0.01	0.01	0.01
1/18/2010	355.21	10.9	10.9	10.9	10.9	10.9	10.9
1/24/2010	355.21					0.01	
1/26/2010	355.21					0.002	
1/29/2010	355.21			0.02			
1/30/2010	355.21			0.02			
1/30/2010	355.21	0.57	0.57	0.57	0.57	0.57	0.57
1/31/2010	355.21				0.18		
2/4/2010	355.21	0.03	0.03	0.03	0.03	0.03	0.03
2/6/2010	355.21					1.15	
2/9/2010	355.21	17.11	17.11	17.11	17.11	17.11	17.11
2/20/2010	355.21				0.004		
2/20/2010	355.21					0.004	
2/22/2010	355.21					0.01	
2/23/2010	355.21		0.08				
2/23/2010	355.21	0.15					
2/23/2010	355.21			0.03			
2/24/2010	355.21						0.01
3/2/2010	355.21	0.01					0.01
3/6/2010	355.21	29.33	29.33	29.33	29.33	29.33	29.33
3/19/2010	355.21	0.25	0.25	0.25	0.25	0.25	0.25
Total	355.21	80.944	79.96	80.37	80.074	81.056	80.075

Table C: PM emissions from Waste Heat Stacks since December 28, 2009

Date of Venting	Annual Venting PM Limit (tpy)	Waste Heat Vent 1 (tons)	Waste Heat Vent 2 (tons)	Waste Heat Vent 3 (tons)	Waste Heat Vent 4 (tons)	Waste Heat Vent 5 (tons)	Waste Heat Vent 6 (tons)
12/28/2009	30.24	0.001					
12/28/2009	30.24	0.01					
12/28/2009	30.24	0.001					
12/28/2009	30.24	0.001					
12/28/2009	30.24	0.001					
12/29/2009	30.24	0.001					
12/29/2009	30.24	0.07					
1/1/2010	30.24	0.001					
1/1/2010	30.24			0.08			
1/4/2010	30.24	4.03	4.03	4.03	4.03	4.03	4.03
1/14/2010	30.24						0.001
1/14/2010	30.24						0.0003
1/14/2010	30.24						0.03
1/16/2010	30.24	0.05					
1/16/2010	30.24				0.003		
1/18/2010	30.24	0.003	0.003	0.003	0.003	0.003	0.003
1/18/2010	30.24	2.03	2.03	2.03	2.03	2.03	2.03
1/24/2010	30.24					0.001	
1/26/2010	30.24					0.0003	
1/29/2010	30.24			0.004			
1/30/2010	30.24			0.003			
1/30/2010	30.24	0.11	0.11	0.11	0.11	0.11	0.11
1/31/2010	30.24				0.03		
2/4/2010	30.24	0.004	0.004	0.004	0.004	0.004	0.004
2/6/2010	30.24					0.16	
2/9/2010	30.24	2.32	2.32	2.32	2.32	2.32	2.32
2/20/2010	30.24				0.001		
2/20/2010	30.24					0.001	
2/22/2010	30.24					0.001	
2/23/2010	30.24		0.01				
2/23/2010	30.24	0.02					
2/23/2010	30.24			0.003			
2/24/2010	30.24						0.002
3/2/2010	30.24	0.002					0.002
3/6/2010	30.24	3.42	3.42	3.42	3.42	3.42	3.42
3/19/2010	30.24	0.03	0.03	0.03	0.03	0.03	0.03
Total	30.24	12.105	11.957	12.037	11.981	12.1103	11.9823

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, EPA-5-10-17-IL, by Certified Mail, Return Receipt Requested, to:

Gateway Energy & Coke Company
Robert Parnell
General Manager
2585 Edwardsville Road
Granite City, Illinois 62040

I also certify that I sent copies of the Notice of Violation and Finding of Violation by first class mail to:

Ray Pilapil
Bureau of Air
Illinois Environmental Protection Agency
P.O. Box 19276
Springfield, Illinois 62794-9276

on the 8 day of July, 2010.

Loretta Shaffer, Secretary
AECAS, MN-OH

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7607 4201